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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,524	06/04/2001	Johan Lammens	60019892Z140	5218

7590 03/17/2005  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, CO 80528-9599

EXAMINER

GRANT II, JEROME

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 03/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/874,524

Applicant(s)

LAMMENS ET AL.

Examiner

Jerome Grant II

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25-27 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 10-13, 15, 16, 19, 20 and 22-24 is/are rejected.
- 7) ☒ Claim(s) 3-9, 14, 17, 18 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

JEROME GRANT II  
PRIMARY EXAMINER

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**Detailed Action**

1. In the specification at page 1, lines 7-18, it is incomplete. Please provide the proper patent numbers which are missing.

2.

Claims 1, 2, 10 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims refer to "recombine" when a combining step has never been recited. Should recombine be changed to combine ?

3.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-13, 15, 16, 20 and 22-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Horiguchi et al.

With respect to claim 11, Horiguchi teaches the dark colorant corresponds to Bk while c, m, y are the light colorants.

With respect to claim 12, Horiguchi teaches color data y, m, c from corrector 2 is passed through without modification to the adder 4.

With respect to claim 13, the data of combined data (adder 7) in print masking for hardcopy printing ( see abstract lines 1 and 2) and col. 6, lines 44-52.

With respect to claim 15, Horiguchi teaches an incremental printing system for performing the method of forming an image by construction from dots deposited on a printing medium, where the system and method by the system comprises: a direct

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device color substantially automatic computation module (elements 2-7) for performing the step of modification by modifying color image data with no manipulation in terms of perceptual color (note Horiguchi does not address perceptual color parameters) and an output incremental printing step performed by a stage for printing modified data. See col. 6, lines 44-52.

With respect to claim 16, Horiguchi teaches an input 1 for receiving such original image data in the form of initial four or more separations; and an output (via elements 8, 9, 10 or 11) for directing the output stage.

With respect to claim 20, Horiguchi teaches a printing method as claimed, for the purpose as set forth by the applicant (for the purpose as claimed) note that Horiguchi does not address perceptual color processing hence the limitation of the claim is met. Horiguchi teaches receiving from personnel, (by changing the gamma parameter so that incremental printing is executed via elements 2-7 as shown by figure 1. See also col. 1, lines 5-10 and col. 2, lines 12-18. See also col. 5, lines 35-40 for adjusting for correction via an operator. Horiguchi teaches preparing for incremental printing, directly and automatically implementing changes in represented quantity of black, ink (see address 6 and 7) for colors that have black.

With respect to claim 22, Horiguchi teaches, Horiguchi teaches a printing method as claimed, for the purpose as set forth by the applicant (for the purpose as claimed) note that Horiguchi does not address perceptual color processing hence the limitation of

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the claim is met. Horiguchi teaches receiving from personnel, (by changing the gamma parameter so that incremental printing is executed via elements 2-7 as shown by figure 1. See also col. 1, lines 5-10 and col. 2, lines 12-18. See also col. 5, lines 35-40 for adjusting for correction via an operator. Also regarding this limitation, Horiguchi teaches indicating the change of black by an operator as taught at col. 5, lines 35-40 regarding the changes of tonal values. Horiguchi teaches preparing for incremental printing, directly and automatically implementing changes in represented quantity of black, ink (see address 6 and 7) for colors that have black.

With respect to claim 23, this limitation is inherent since Horiguchi does not address perceptual colors.

With respect to claim 24, the implementing step of automatic adjustments are set forth by elements 2-7 in view of col. 5, lines 35-40; wherein the total values (due to corrections in gamma, see col. 5, lines 22-25 are also discussed by Horiguchi. Horiguchi teaches applying the data file with the implemented change for hardcopy printing according to col. 6, lines 44-52, see also the abstract.

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4. Claims 25-27 are allowed for the reason the prior art does not teach or suggest in claimed combination, "... a direct device color to device color graphical computer interface module for enabling the user to modify the color image ....," in the environment as claimed.

5.

Claims 3-9, 14, 17, 18 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6.

Claims 2 and 10 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 703-305-4391. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams, can be reached on 703-304-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Grant  
  
JEROME GRANT II  
PRIMARY EXAMINER